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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,842	01/02/2002	Dan Kikinis	P1598	6723

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EXAMINER

SHAW, PELING ANDY

ART UNIT PAPER NUMBER

2144

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/037,842	KIKINIS, DAN	
	Examiner	Art Unit	
	Peling A. Shaw	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Amendment received on 08/18/2005 has been entered. Claims 1 and 25 are amended.

Claims 26-44 are new. Claims 1-44 are still pending.

Priority

2. This application has claimed a priority of 60/264,937 filed on 01/29/2001. The filing date is 01/02/2002.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-5, 12-15, 17, 20, 23-27, 29-30, 37-39 and 42-44 are rejected under 35

U.S.C. 102(e) as being anticipated by Grantges (US 6324648 B1), hereinafter referred as Grantges.

- a. Regarding claim 1, Grantges disclosed a software system for enabling remote data access to and task execution on a data processing system (Fig. 1; column 3, line 64-column4, line 22: application servers 24s) through a proxy server (Fig. 1; column 3, line 64-column4, line 22: proxy server 40) in application gateway 38) comprising: an instance of the software residing on the data processing system for receiving and

- analyzing requests and performing according to a request directive (column 3, line 26-30); and an instance of the software residing on the proxy server for identifying and authenticating a user and for redirecting requests to the data processing system (column 3, line 2-25); characterized in that a user connects to a network accessible to the data processing system and initiates a request for services, wherein the request is, after authentication of the user, redirected from the proxy server to the data processing system for task execution and possible return of results according to the contents of the request (column 4, line 23-65).
- b. Regarding claim 2, Grantges disclosed the software system of claim 1 wherein the data processing system is a personal computer (Fig. 1; column 3, line 64-column 4, line 22: application servers 24s in computer system 20).
 - c. Regarding claim 4, Grantges disclosed the software system of claim 1 wherein the data processing system is a computer-connected peripheral (Fig. 1; column 3, line 64-column 4, line 22: application servers 24s are connected to application gateway).
 - d. Regarding claim 5, Grantges disclosed the software system of claim 1 wherein data access includes directory search and opening of a target file (column 11, line 13-55: look up local database user profile).
 - e. Regarding claim 12, Grantges disclosed the software system of claim 1 wherein a request specifies a serial execution of serial tasks and return of results (Fig. 8, column 14, line 25-column 15, line 63: a serial execution of tasks for web browsing).

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- f. Regarding claim 13, Grantges disclosed the software system of claim 1 wherein many requests are sent to the data processing system in an un-interrupted data session (Fig. 8, column 14, line 25-column 15, line 63: the request is in one session).
- g. Claims 14-15, 17, 20 and 23-25 are of the same scope as claims 1-2, 5 and 12-13.
These are rejected for the same reasons as for claims 1-2, 5 and 12-13.
- h. Claims 26-27, 29-30 and 37-38 are of the same scope as claims 1-2, 4-5 and 12-13.
These are rejected for the same reasons as for claims 1-2, 4-5 and 12-13.
- i. Claims 39 and 42-44 are of the same scope as claims 20 and 23-25. These are rejected for the same reasons as for claims 20 and 23-25.

Grantges disclosed all limitations of claims 1-2, 4-5, 12-15, 17, 20, 23-27, 29-30, 37-39 and 42-44. Claims 1-2, 4-5, 12-15, 17, 20, 23-27, 29-30, 37-39 and 42-44 are rejected under 35 U.S.C. 102(e).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6-8, 16, 18-19, 28 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grantges (US 6324648 B1), hereinafter referred as Grantges as applied to claims 1, 14 and 26 above, and further in view of Staples et al. (US 20020118671 A1),

hereinafter referred as Staples and Anderson et al. (US 6633905 B1), hereinafter referred as Anderson.

- a. Grantges discloses claims 1, 14 and 26 as above. Grantges does not show (claim 3) wherein the data processing system is a multi-purpose printing center; (claim 6) wherein tasks performed include sending e-mails and electronic faxes; (claim 8) wherein tasks performed further include powering on or off of host-connected devices.
- b. Staples shows (claim 3) wherein the data processing system is a multi-purpose printing center (Fig. 1: printer server); (claim 6) wherein tasks performed include sending e-mails and electronic faxes (Fig. 1: Email server and FAX server) in an analogous art for the purpose of extending office telephony and network data services to a remote client through the internet.
- c. Anderson shows (claim 8) wherein tasks performed further include powering on or off of host-connected devices (column 5, line 11-18: remote power control) in an analogous art for the purpose of accessing and operating personal computers remotely.
- d. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Grantges' functions of secure gateway with Staples' explicitly identified functions of application servers, including printing, Email and FAX services, and Anderson's functions of remote accessing and operating computer.

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- e. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have application server functions per Staples, Grantges and Anderson's teaching.
- f. Regarding claim 7, Staples show wherein tasks performed further include reading a document over a dialed telephone connection (Fig. 1: using client modem to access file server).
- g. Claims 16 and 18-19 are of the same scope as claims 3 and 6. These are rejected for the same reasons as for claims 3 and 6.
- h. Claims 28 and 31-33 are of the same scope as claims 3 and 6-8. These are rejected for the same reasons as for claims 3 and 6-8.

Together Grantges, Staples and Anderson disclosed all limitations of claims 3, 6-8, 16, 18-19, 28 and 31-33. Claims 3, 6-8, 16, 18-19, 28 and 31-33 are rejected under 35 U.S.C. 103(a).

5. Claims 9-11, 21-22, 34-36 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grantges (US 6324648 B1), hereinafter referred as Grantges as applied to claims 1, 20, 26 and 39 above, and further in view of Makagon et al. (US 20040019638 A1), hereinafter referred as Makagon.

- a. Grantges discloses claims 1, 20, 26 and 39 as above. Grantges does not show (claim 9) wherein the proxy server is a wireless gateway in a wireless data network; (claim 10) wherein the proxy server is accessed with a wireless network-capable device; (claim 11) wherein the access device is a WAP enabled cellular phone.

- b. Makagon shows (claim 9) wherein the proxy server is a wireless gateway in a wireless data network (paragraph 20 and 25: proxy server in wireless communication network); (claim 10) wherein the proxy server is accessed with a wireless network-capable device (paragraph 20 and 25: proxy server in wireless communication network); (claim 11) wherein the access device is a WAP enabled cellular phone (paragraph 25, 126 and 128: WAP used in wireless communication network with voice device) in an analogous art for the purpose of enabling voice-based management of state and interaction of a remote knowledge worker in a contact center environment.
- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Grantges' functions of secure gateway with Makagon's functions of wireless application access using WAP.
- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have wireless access capability per Makagon's teaching in accessing through proxy server per Grantges and Makagon's teaching.
- e. Claims 21-22 are of the same scope as claims 9 and 11. These are rejected for the same reasons as for claims 9 and 11.
- f. Claims 34-36 are of the same scope as claims 9-11. These are rejected for the same reasons as for claims 9-11.
- g. Claims 40-41 are of the same scope as claims 21-22. These are rejected for the same reasons as for claims 21-22.

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Together Grantges and Makagon disclosed all limitations of claims 9-11, 21-22, 34-36 and 40-41. Claims 9-11, 21-22, 34-36 and 40-41 are rejected under 35 U.S.C. 103(a).

Response to Arguments

6. Applicant's arguments filed on 03/15/2005 have been fully considered, but they are not persuasive.

- a. In response to applicant's statement on claim rejections 35 U.S.C. § 102, Grantges disclose all limitations as cited in claim 1. Grantges do not have to describe a subject exactly as claim 1 does. How the functions as derived from the limitations cited in claim 1 would work should not obscure the fact that Grantges have the functions as described in claim 1. Claim 1 is rejected as above.
- b. As claims 14 and 20 are technically of the same scope as claim 1, they are rejected with the same reasoning as the rejection of claim 1.
- c. In response to applicant's statement on claim rejections 35 U.S.C. § 103, since the rejection of independent claims 1, 14 and 20 are held as stated in section a and b. Applicant's argument on depending claims based upon the reasoning on the rejections of independent claims does not apply.
- d. New claims are examined and rejected in previous sections.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pas



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